

REMARKS/ARGUMENTS

Applicants acknowledge, with thanks, receipt of the Office Action mailed July 18, 2006. Claims 1-3, 5-10. and 12 are now pending. Claims 1-3, 5-10, and 12 stand rejected.

I. Rejection of claim 1 under 35 U.S.C. § 112, Second Paragraph

Claim 1 has been rejected under 35 U.S.C. § 112, second paragraph on the ground of non-statutory obviousness-type double patenting over claims 1-3, 5-10, 12-17, 19-24, and 26-28 of co-pending U.S. Patent Application Serial No. 10/710,485. Applicants acknowledge, with thanks, the Examiner's notes that independent claims 1, 8, 15, and 22 of Application No. 10/710,485 are distinct over the art of record.

Claim 1 has been amended to reflect that the secondary transmission system is further adapted for generating a location beacon. Support for this limitation may be found in the specification at Paragraphs [0027], [0030], [0031], and [0040]. No new matter has been added to the claims

II. Rejection of claims 1-3, 5-10. and 12 for Double Patenting

Claims 1-3, 5-10. and 12 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over co-pending U.S. Patent Application No. 110/710,485 which was filed on July 14, 2004. Withdrawal of this rejection is requested for the following reasons. The applicant is submitting a terminal disclaimer signed by an Attorney of Record of this application.

CONCLUSION

In view of the above amendment to claim 1, and the Terminal Disclaimer attached hereto, Applicants respectfully submit that the present application is in condition for allowance. If the Examiner believes that there are any further matters which need to be discussed in order to expedite the prosecution of the present application, the Examiner is invited to contact the undersigned at the Examiner's convenience.

Application No.: 10/710,487
Amendment/Response dated July 31, 2006
Response to Office action dated July 18, 2006

If there are any fees necessitated by the foregoing communication, the Commissioner is hereby authorized to charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 72793/00018.

Respectfully submitted,



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